

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following remarks is respectfully requested.

Claims 1-17 are present in this application

Applicant elects, with traverse, the invention of Group I, Claims 1-2 and 9-10.

Applicant also submits that Claims 3 and 4 as currently amended are also now part of the same group I of Claims 1, 2, 9 and 10. That is, Claims 3 and 4 as amended by the present response are now properly grouped with Claims 1, 2, 9, and 10 in Group I.

Applicant traverses the outstanding Restriction requirement on the grounds that it has not been established that it be an undue burden to examine each of the noted inventions and claims together.

Under M.P.E.P. § 803, a Restriction is not proper if a search and examination can be made without a serious burden on the Examiner, and the outstanding Restriction requirement has not established that examining each of the currently-pending claims together would result in an undue burden.

M.P.E.P. § 803 specifically states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The outstanding Restriction requirement has not established that each of the claims could be examined without an undue burden, and thus each of the noted inventions and claims should be examined on their merits.

Respectfully submitted,

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